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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#7
6-18-03

DN A01196

In re application of

Barrett Richard Bobsein

Paper No.: 7

Serial No. 09/880,996

Group Art Unit: 1774

Filed: June 14, 2001

Examiner: B.H. Hess

For: THERMOSENSITIVE RECORDING MATERIAL

RESPONSE AFTER FINAL REJECTION

Honorable Commissioner of Patents and Trademarks

Washington, D.C. 20231

Sir:

This is in response to the Office Action in the above identified application mailed on May 5, 2003. Applicant respectfully requests the examiner to reconsider his rejection of claims 1-2 in view of the remarks herein, and to pass claims 1-2 to allowance at this time.

OK to enter
BHH

REMARKS

In the above-identified Office Action the examiner rejected claims 1-2 under 35 USC 103(a) as being anticipated by US Patent No. 5,409,881 to Mori, et al. ("Mori").

Claims 1-2 are directed to a thermosensitive recording material including a support bearing thereon a first layer including multivoided particles, the particles having been formed by (i) a core-shell emulsion polymerization process, the core including a copolymerized ester functional group-monomer, (ii) hydrolyzing the monomer subsequent to or during the formation of the shell, (iii) treating the core with base concurrently with or subsequently to the hydrolysis to swell the particles and (iv) forming multiple voids within the particle when dried, and, disposed on the first layer, a thermosensitive recording layer.

35 USC 103(a) REJECTION OF CLAIMS 1-2 OVER MORI

The examiner rejected claims 1-2 over Mori under 35 USC a03(b) because Mori teaches a thermosensitive recording material. Applicant respectfully submits that the examiner erred in further characterizing Mori as disclosing a multi-voided particle layer formed by a core-shell emulsion polymerization process coated onto a support prior to the application of the thermosensitive layers. Mori discloses (Mori, column 13, lines 8-12) an optional intermediate layer interposed between the support and the thermosensitive recording layer "comprising as the main component expanded plastic minute void particles". Applicant submits that Mori thereby suggests thermoplastic polymer particles which include minute inclusions of "blowing agents" which can be "expanded" to form "minute voids". Mori further characterizes the particles (Mori, column 13, lines 13-21) by stating that "In the above-mentioned expanded plastic minute void particles for use in the intermediate layer, air or other gases are contained in

a shell comprising a thermoplastic resin such as ...". Applicant respectfully submits that Mori describes particles containing minute voids within a thermoplastic matrix formed by expanding agents within the formed particles to form the voids. Applicant submits that the examiner has pointed to no disclosure within Mori or no motivation from Mori to remove his expanded particles in his optional intermediate layer and to replace them with different polymer particles. Applicant respectfully submits that Mori certainly does not teach or suggest a first layer disposed on a substrate including multivoided particles, the particles having been formed by (i) a core-shell emulsion polymerization process, said core comprising a copolymerized ester functional group monomer, (ii) hydrolyzing the monomer subsequent to or during the formation of the shell, (iii) treating the core with base concurrently with or subsequently to the hydrolysis to swell the particle and (iv) forming multiple voids within the particle when dried. Applicant respectfully submits that his claims 1-2 are not unpatentable under 35 USC 103(b) over Mori. Applicant requests the examiner to withdraw this rejection.

Applicant respectfully requests the examiner to pass their claims 1-2 to allowance at this time. Applicant's agent is available in order to expedite the allowance of this case at 215-641-7822 or by FAX at 215-619-1918.

Respectfully Submitted,



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